

## **COMMISSION MEETING MINUTES**

### **Indiana Fire Prevention and Building Safety Commission**

Government Center South  
402 West Washington Street  
Indianapolis, Indiana 46204  
Conference Room B

January 4, 2012

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:07 a.m. on January 4, 2012
  - (a) Commissioners present at the Commission meeting:

Diana M. H. Brenner  
Ron Brown  
Michael Christoffersen  
Tom Cloud  
Michael Corey  
Kevin Goeden, representing the Commissioner, Department of Labor  
David Hannum, Chairman  
John Hawkins  
Todd Hite, representing the Commissioner, Department of Health  
Matt Mitchell, departing at 1:40p.m.  
Ted Ogle, Vice-Chairman
  - (b) The following departmental and support staff were present during the meeting:

Legal and Code Services:

Mara Snyder, Director, Legal and Code Services  
Shelly Wakefield, Manager, Code Technical Development  
Cecilia Ernstes-Boxell, Code Specialist  
Denise Fitzpatrick, Code Specialist  
John Haines, Code Specialist  
John Hibner, Code Specialist  
Beth Sutor, Secretary
  - (c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.

2. Old Business.

Chairman Hannum called for any corrections or a motion to approve the minutes of the December 6, 2011 meeting as distributed. A motion to approve the minutes was made by Commissioner Corey and seconded by Commissioner Christoffersen. It was voted upon and carried. Chairman Hannum called for any corrections or a motion to approve the minutes of the special meeting held December 22, 2011. Commissioner Christoffersen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

3. Ordinances.

Building Ordinance No. 2011-G-05  
Clarksville, Indiana

Shelly Wakefield, Manager, Code Technical Development, noted that the ordinance had been reviewed and recommended approval. Commissioner Corey moved to approve. Commissioner Brenner made the second. It was voted upon and carried.

4. Variances.

Tabled Variances.

The proponent for variance 11-09-10 Bonn Building, Fishers, had again requested to be tabled. The fire department had requested the Commission establish a deadline for completion. Commissioner Ogle moved to table with the work be completed before the February 7<sup>th</sup> meeting. Commissioner Mitchell made the second. It was voted upon and carried. The proponent for variance 11-10-10(a)(b) INDOT Propane Fueling Station, Albany, had requested they be tabled until April, 2012. Commissioner Christoffersen moved to table, with the second by Commissioner Corey. It was voted upon and carried. Tim Callas and Tom Nipp, J & T Consulting, spoke as proponents for variance 11-10-14(a)(b)(c) MASJID-E-NOOR, Indianapolis. They provided new plans showing a new spot for the prayer area, reduced in size to 349 square feet. The occupant load would be less than 49 persons. Following discussion, Commissioner Christoffersen moved to approve (a), (b) and (c), with the second by Commissioner Hawkins. It was voted upon and carried. The proponent for variance 11-10-29 Lilly K362 Development Lab Building, Indianapolis, had requested it be tabled. Commissioner Corey moved to table, with the second by Commissioner Brenner. It was voted upon and carried. Proponents for variances 11-11-29 22 Dorman Avenue Improvements, Greendale, 11-11-33 New Eden Care Center, Topeka, 11-12-4 Ferenczy Condominium Windows, Bloomington, and 11-12-8 Family Praise Center, Noblesville had requested their applications to be tabled. Commissioner Ogle moved to table these variances, with the second by Commissioner Corey. It was voted upon and carried. Tim Callas and Tom Nipp, J & T Consulting, spoke as proponents for variance 11-12-12, Annie's Pizza Parlor and Banquet Hall, Muncie. They distributed a score and summary sheet for a Chapter 34 review with a revised application requesting a final score of 0 in Fire Safety in lieu of -1.1. Smoke protection was being installed, and the kitchen's fryer has a compliant hood. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. The proponent for variance 11-12-14 Lighthouse Recovery Center, Washington, was delayed, and the application was to be heard later. Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent for variance 11-12-18 Garcia Construction Group New Corporate Headquarters, Indianapolis. The request was to omit the one hour corridor. During the remodel of the existing building, the owner requested glass in the office doors and glass doors into the conference room. This is not allowed by code. A partial smoke detection system per NFPA 72 was to be installed in the corridor, and the office space had four exits. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried. Ralph Gerdes, Ralph Gerdes Consultants, and Kyle Quinn, Applied Behavior Center for Autism, spoke as proponents for variance 11-12-21(a)(b) Applied Behavior Center for Autism, Greenwood. The local fire department had inspected the building and had notified the center that their occupancy was an E occupancy instead of a B as released by Plan Review. Following a detailed discussion of the services offered, the degrees held by the staff, and funding, Commissioner Christoffersen stated he believed this to be a B occupancy. Commissioner Brenner moved that no variance was required for (a), with the second by Commissioner Christoffersen. Further discussion was held on the length of time some students are in the Center, as well as staffing levels having been found to be less than those listed on the variance application, and code language used to determine occupancy classification. It was also noted that the building did not have a local fire alarm, but is on a "dialer". Chairman Hannum called for a vote, and the motion was carried with three nay votes. Variance (b) was a request to allow

a time-out room with a lock operated by a teacher via a continuous pressure button. Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried. Dennis Bradshaw, FP&C Consultants, spoke as proponent for variance 11-12-42 Aboite Elementary School, Ft. Wayne. The proponent provided a set of drawings which showed the three mechanical rooms in question. These areas are sprinklered. The fresh air spaces shown in blue on the drawings were not sprinklered. Two of these were reached only by ladder access through a locked janitor closet. One had a door from the mechanical room because they cannot use a ladder to maintain the two HVAC units in there. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. The proponent for variances 11-12-45(a)(b)(c)(d)(e)(f)(g) Comlux Completion USA Hanger 5, Indianapolis, had requested the applications be tabled. Commissioner Ogle moved to table, with the second by Commissioner Corey. It was voted upon and carried. Ed Rensink, RTM Consultants, spoke as proponent for variance 12-1-33 Social Lounge, Indianapolis. An existing retail space was to be converted to a bar. The request was to allow the 1,976 square foot area to have one exit for a period of two months until a second exit can be installed. The installation was delayed due to a construction moratorium in place caused by Super Bowl security measures. The fifteen foot ceilings were clad in tin, and the exit of double glass doors were able to be seen from anywhere in the bar except the restroom. The space had fire alarms and was sprinklered. The bar was separated from neighboring spaces on the east by a one-hour wall, while the north had a party wall of thick masonry. Following discussion, Commissioner Christoffersen moved to approve with the conditions that the variance was valid until March 1, 2012, that the fire alarm and sprinkler system must have a current inspection, and that the occupant load was limited to 130. Commissioner Brenner made the second. It was voted upon and carried with one nay vote.

#### Regular Variances.

Chairman Hannum called for any variances to be pulled from the block vote for individual consideration. There were none. Commissioner Brenner advised she would abstain from voting on variance 12-1-8 Minton-Capehart Federal Building Day Nursery, Indianapolis. Commissioner Cloud advised he would abstain from voting on variance 12-1-39 Fashion Mall at Keystone Addition and Renovation, Indianapolis. Commissioner Christoffersen advised he would abstain from voting on variance 12-1-50 Yellow Retirement Coldwater Road, Ft. Wayne. Commissioner Corey moved to approve all variances with an "A" or "B" recommendation by staff, with the second by Commissioner Christoffersen. It was voted upon and carried.

The following variances were approved as submitted:

- |      |            |   |
|------|------------|---|
| (1)  | 12-1-3     | Good Samaritan Hospital, Vincennes                                    |
| (2)  | 12-1-4     | 567 E. Graham Place Windows, Bloomington                              |
| (3)  | 12-1-5     | 820 N. Dunn Street Windows, Bloomington                               |
| (4)  | 12-1-7     | Crescent Park Condominiums 3230 John Hinkle Place Unit A, Bloomington |
| (5)  | 12-1-8     | Minton-Capehart Federal Building Day Nursery, Indianapolis            |
| (6)  | 12-1-9     | 2393 E. Winding Brook Circle Windows, Bloomington                     |
| (7)  | 12-1-13    | Sam's Club #6424, Kokomo  |
| (8)  | 12-1-17    | NRP Indiana, Montpelier   |
| (9)  | 12-1-18(a) | Sigma Kappa Sorority Renovation, West Lafayette                       |
| (10) | 12-1-24    | Heatwole Woodworking, Bremen  |
| (11) | 12-1-29    | 37 Place Community Center, Indianapolis                               |
| (12) | 12-1-37    | 2356 S. Henderson Street Windows, Bloomington                         |
| (13) | 12-1-40    | Indianapolis Fire Department Station #5, Indianapolis                 |
| (14) | 12-1-51    | Trailside on Massachusetts, Indianapolis                              |

#### 5. Super Bowl Inspections – Jim Hawkins, Fire and Building Code Enforcement

Mr. Jim Hawkins, Supervisor, Fire and Building Code Enforcement, explained inspection procedures for the Super Bowl. Since mid-November, representatives from City of Indianapolis Department of Code Enforcement, state Fire and Building Code Enforcement, and the Indianapolis Fire Department have been meeting to determine how to best inspect the tents and buildings being revamped for Super Bowl events. A 3-person team, made up of a member of each group, would be

dispatched from 1200 Madison Avenue to do the inspections, with about a dozen teams available to inspect. Any problems encountered in the field were to be referred to the headquarters to be handled by the team of lead members for each enforcement group. The Indianapolis Fire Department was to be responsible for setting the occupant load for each structure. The City of Indianapolis Code Enforcement was to issue a permit after examining plans with engineering stamps. Courtney Gordon, Assistant Fire Marshal, Indianapolis Fire Department, described the packet of information carried by each inspection team which showed permits, variances and conditions for each inspection site. It was also noted that a lot of the big units have their design people and engineers present at construction to verify that construction was done in compliance with code and variance conditions.

6. Variances

The following variances were heard separately:

(15) 12-1-1 Indiana Bar Foundation, Indianapolis

The application was incomplete and ineligible to be heard. Commissioner Christoffersen moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

(16) 12-1-2 Memorial Hospital of Logansport, Logansport

The application was incomplete. Commissioner Corey moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

(17) 12-1-6 Crescent Park Condominiums 3230 John Hinkle Place Unit K, Bloomington

The proponent had requested the application be tabled. Commissioner Corey moved to table, with the second by Commissioner Ogle. It was voted upon and carried.

(18) 12-1-10 Glidden Furniture, Terre Haute

Kristi Glidden-Hitchmough, Glidden Furniture, spoke as proponent. The facility has had several citations on the hydraulic cylinder and elevator over a period of eight years. The request was to allow the facility a further two years of non-compliance while the \$30,000 to \$50,000 needed for the replacement cylinder was gathered. Following discussion, Commissioner Corey moved to grant one year with the condition that they keep a monthly oil log and have a pressure test, which includes the cylinder, done every three months. Commissioner Christoffersen made the second. It was voted upon and carried.

(19) 12-1-11 Wright Swimming Pool, Zionsville

Jeff Keesling, Keesling Custom Pools and Patios, spoke as proponent. The owner had wanted the pool extended fifteen feet beyond the original design. Plans were submitted and permits issued, but the pool failed the final inspection. The exit point was two feet too far from the deepest point of the pool, though easily accessed by the underwater landing and adjoining steps. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(20) 12-1-12 IU Healthcare Neuroscience Center

Stuart Armstrong, Landmark Healthcare Facilities LLC, spoke as proponent. The request was to omit strobe devices in exam rooms for neurology patients. The building was fully sprinklered and the entire building had audible alarms. Following discussion, Commissioner Hawkins moved to approve with the

condition that the rooms without strobes be limited to patients with neurological conditions. Commissioner Christoffersen made the second. It was voted upon and carried.

(21) 12-1-14 Alro Steel, Beech Grove

Phil Sabon, Alro Steel, and George Kittle, O'Harrow Construction, spoke as proponents. The addition to the existing building was to have neither sprinklers nor exterior openings as required by code. Two large overhead doors were located on the northeast and southeast corners of the building, but not on the east side of the building. The request was to allow the truck bay to serve as access points for the fire department. During discussion, the proponent realized that they had misinterpreted the code requirements. Commissioner Corey moved to table to allow the proponent to research the installation and locations of access windows. Commissioner Brown made the second. It was voted upon and carried.

(22) 12-1-15 DOT Foods, Cambridge City

The proponent had requested the application be tabled. Commissioner Corey moved to table, with the

(23) 12-1-16(a)(b)(c)(d) Rupert Ridge School, Woodburn

The application was incomplete. Commissioner Ogle moved to table, with the second by Commissioner Corey. It was voted upon and carried.

(24) 12-1-18(b) Sigma Kappa Sorority Renovation, West Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. Variance (b) was to allow the Formal Room to have an additional opening to the corridor as part of the current renovation. The local fire department had been consulted. Residential floors of the building are protected with an NFPA 13R system. The first floor, including the sleeping areas, is protected by an NFPA 13 system. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

7. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:40 a.m. He then reconvened the meeting, calling it back to order at 10:50 a.m.

(25) 12-1-19(a)(b) Mavis Arts and Event Center, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow the use of an area for safe dispersal of occupants from the second and third floors of the building which was not large enough to allow for the minimum distance of 50 feet from the building. The structure was built in 1883 and now is next to an operational CSX rail line. The building was fully sprinklered and had a fire alarm system. Variance (b) was to allow the second means of egress from the outdoor terrace to the third floor level to be locked when the building is not occupied for security reasons. The hardware was to release at fire alarm or sprinkler activation. Following discussion, Commissioner Brenner moved to approve both variance (a) and (b). Commissioner Ogle made the second. It was voted upon and carried.

(26) 12-1-20 Evansville Arena, Evansville

Darius Dunn, Venuworks of Evansville, spoke as proponent. The request was to allow the fire alarm system to be placed into a pre-programmed "pyrotechnic mode", not allowed by code, for events when

pyrotechnics or theatrical smoke would cause a repeated false alarm notification on the control panel. This would affect sensors within smoke dampers and beam detectors over the bowl area. The pyrotechnic mode was a password protected disable button within the fire alarm panel, with a timer which will automatically reset the system at the end of the designated length of time. A fire watch was also to be in place during the use of the pyrotechnic mode, with one man located in the command station. Police and security personnel were also to be advised of reduced smoke alarm coverage. Beam protectors are turned off during the rigging process for the performances, a period when public is not permitted in the area, which generally lasts two hours. The remainder of the building coverage was not affected. Following discussion, Commissioner Christoffersen moved to approve with the condition that only pyrotechnics which meet indoor use requirements of NFPA 1126 and not 1.4G fireworks may be used. Commissioner Mitchell made the second. It was voted upon and carried.

(27) 12-1-21 Christ Temple Apostolic Faith Assembly, Indianapolis

Lester Carver, Carver Design Studio, spoke as proponent. The building was undergoing renovation and the parapet structure had to be redesigned. The extension was designed with combustible materials, and was cited during inspection. The construction of the parapet included a layer of 5/8" Type X gypsum board on the building side, creating a 1-hour fire-resistance rating. The building was sprinklered and protected with a fire detection system. Following discussion, Commissioner Hawkins moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(28) 12-1-22(a)(b) Community Building Addition, Orland

Tim Callas, J&T Consulting, spoke as proponent. An addition for table and chair storage and an additional bathroom had been constructed and was currently being occupied. Variance (a) was a request to allow the owner a period of six months to install two 1½ hour doors to create a rated corridor between the existing building and the addition. The doors were priced at \$5,900, and the city did not have the extra funds at hand. The 12" thick brick wall separating old and new construction was not structurally independent. Variance (b) was to omit the sprinklers. The proponent stated they would not need the sprinklers once the doors were installed. Following discussion, Commissioner Hawkins moved to approve both for a period of ninety (90) days, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Christoffersen abstained.

(29) 12-1-23 Lockerbie Glove Company Basement Ceiling, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The ceiling in the basement of the 1910 building had fallen into disrepair over the years, and now was a hodgepodge of gypsum board where the repairs were done. The request was to permit the repairs without complying with the original 2-hour floor rating requirement of the 1980 Indiana Construction Rules code of record for the 1984 conversion from factory to condominiums. The building was sprinklered throughout, and the existing floor construction had a fire rating approaching Type IV heavy timber construction dimensions. The sprinkler system in the basement was also to be brought up to current code for spacing clearance. Following discussion, Commissioner Christoffersen moved to approve with the condition that the sprinklers comply with current NFPA 13 requirements. Commissioner Ogle made the second. It was voted upon and carried.

(30) 12-1-25 East Bay Apartments Phase II, Bloomington

(31) 12-1-27 Tenth and College Horizons Apartments, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The exterior walkway/balcony of the apartment buildings were made of unprotected steel with wood framing, and had been interpreted by Plan Review as part of the structure of the building because they rest on columns and were not cantilevered. The request was to omit the 1-hour construction. The buildings were sprinklered throughout with NFPA 13R systems, and the balconies were to have exterior sprinklers on each level. No grilling on the balconies

was to be permitted. Following discussion, Commissioner Hawkins moved to approve both variance 12-1-25 and 12-1-27. The second was made by Commissioner Brown. It was voted upon and carried.

- (32) 12-1-26 Hatchette Book Group Lebanon Building #2, Lebanon

The variance application to allow the removal of hose drops from the sprinklered building was now complete. The “A” rating would have made it eligible for the block vote. Commissioner Ogle moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (33) 12-1-28 Indianapolis Zoo Orangutan Exhibit, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The exhibit was to be a combination of steel frame structure and heavy timber. The request was to allow the height to exceed that allowed for Type VB Construction, with the addition of a spire formed by heavy timber with a height of 151 feet. The spire element had no concealed spaces, and the building was to be protected throughout with an automatic sprinkler system. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (34) 12-1-30 Hatchette Book Group Lebanon Building #9, Lebanon

The variance application to allow the removal of hose drops from the sprinklered building was now complete. The “A” rating would have made it eligible for the block vote. Commissioner Brown moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

- (35) 12-1-31 Lanier Mansion State Historic Site, Madison

Chris Dufek spoke as proponent. The upper landing gate of the vertical wheel chair lift had only 13” of the 18” required by code available to it due to the existing, historic building. The lift was to be used only during guided tours, and the occupant of the lift would have assistance from the staff. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Corey. It was voted upon and carried.

- (36) 12-1-32 Riley Hospital for Children Phase Va.2, Sequence 1c, Fifth Floor, Indianapolis

Neal Locasto, RTM Consultants, spoke as proponent. The request was to omit visible alarm notification appliances in the patient sleep or inpatient treatment rooms of an I-2 Occupancy. Notification, per NFPA 72 industry practice for inpatient medical care facilities, was to be at the nursing stations. Following discussion, Commissioner Christoffersen moved that no variance was required, with the second by Commissioner Cloud. It was voted upon and carried with one nay.

- (37) 12-1-34(a)(b) FedEx Freight East Inc, Terre Haute

The application was incomplete and ineligible to be heard. Commissioner Ogle moved to table, with the second by Commissioner Corey. It was voted upon and carried.

- (38) 12-1-35 800 Main Street, Lafayette

Doug Trent, RTM Consultants, spoke as proponent. An existing building, most recently used as retail space, was to have a tea shop, and art gallery and classrooms on the first floor. The second floor, originally designed as a ballroom and unoccupied, was to remain unused with the entry secured. The floor may be used in the future when a second exit stairway is constructed. The request was to change

occupancy without having the entire building brought up to current code. Ron Ritchey, Lafayette Fire Department, said they had suggested the owner consider Chapter 34. The fire department did not oppose the variance, but should the second floor be used, they requested the Chapter 34 evaluation be redone. Following discussion, Commissioner Hawkins moved to approve with the condition that the second floor not be used, and that, if in the future it is occupied, the Chapter 34 evaluation must be redone. Commissioner Corey made the second. It was voted upon and carried.

- (39) 12-1-36 Plainfield Middle School, Plainfield

Ed Rensink, RTM Consultants, spoke as proponent. A renovation was to include an infill addition to increase the size of 2 existing restrooms to provide accessibility. The restrooms currently are open to the corridor, and the request was to allow them to remain open to the corridor. The staff felt that doors would impede their ability to monitor the students. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (40) 12-1-38(a)(b)(c)(d) Indiana University Bloomington South Eastside Residence Hall, Bloomington

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (a) was a request to allow the lounge areas to be open to the corridors. The building was to be fully sprinklered. Variance (b) was to omit closure devices and rated glazing on dorm and snack room doors. A study from the 1970's showed that corridor sprinkler systems still worked if doors were open. The corridors of the proposed building were to be sprinklered with quick response sprinklers. Commissioner Hawkins moved to approve both (a) and (b), with the second by Commissioner Christoffersen. It was voted upon and carried. Variance (c) was to allow the standpipe hose connections on the main floor landings, the location preferred by the local fire department. Commissioner Mitchell moved to approve, with the second by Commissioner Ogle. It was voted upon and carried. Variance (d) was to omit the half hour floor assemblies in areas of the third, fourth and fifth floors. There were no UL listed half hour or other approved half hour assemblies available. Commissioner Hawkins moved to approve, with the second by Commissioner Christoffersen. It was voted upon and carried.

8. **Breaking and reconvening.** Chairman Hannum recessed the Commission for lunch at 11:50a.m. He then reconvened the meeting, calling it back to order at 1:00 p.m.

- (41) 12-1-39 Fashion Mall at Keystone Addition and Renovations, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The issue was that of temporary egress during construction and renovation. Working with the local fire department, temporary egress corridors and other solutions had been provided and approved. The building was sprinklered per NFPA 13 and will remain protected throughout. Most of the work was to be done while the mall is closed, but vestibule 133 will be closed during mall hours. Following discussion, Commissioner Hawkins moved to approve with the condition that the variance be valid for a period of one year. Commissioner Corey made the second. It was voted upon and carried.

- (45) 12-1-41 Lumen Christi Catholic School, Indianapolis

The proponent requested the application be tabled. Commissioner Christoffersen moved to table, with the second by Commissioner Corey. It was voted upon and carried.



- (46) 12-1-42 The Alexander Hotel, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A new six-story hotel was to have an outdoor mechanical platform span between the hotel and the parking garage. As part of the hotel, the platform was required to have a 2-hour frame and floor. Since the proponent did not feel the outdoor mechanical platform needed to be rated, the request was to allow the platform to be a zero hour construction and structural fire-proofing eliminated. A lengthy discussion was held concerning the beams for the platform penetrating the 2-hour wall of the hotel. Commissioner Hawkins moved to approve if the beam was not a through penetration of the wall and the connection would break on the inside of the wall. Commissioner Cloud made the second. It was voted upon and carried.

- (47) 12-1-43 Mt. Carmel Christian Church Chair Lift, Trafalgar

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A chair lift was to be installed on an exit stair from the basement to the intermediate level, reducing the width of the stair to 41 inches when the seat is folded and 24 inches when lowered. The occupant load of the basement was to be limited to a maximum of 69 persons, with a required stair width of 21 inches. The basement would have 56 inches available with the two exit stairs. Following discussion, Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

- (48) 12-1-44 St. Joseph's High School, South Bend

The variance was incomplete and ineligible to be heard. Commissioner Ogle moved to table, with the second by Commissioner Corey. It was voted upon and carried.

- (49) 12-1-45 Steeples on Washington, Indianapolis

Doug Trent, RTM Consultants, spoke as proponent. A new multi-family development was going into what had been Central State Hospital. The hydrants and water lines had not been maintained and the water company will not allow them to be used by firefighters. The city was letting out bids for streets and water lines, and the request was to allow a September 2012 deadline for installation of hydrants and lines, allowing construction. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

- (50) 12-1-46 NFLPA Event, Plainfield

Jessica Whitney, Zoe Productions, spoke as proponent. Kenneth Foster, Plainfield Fire Department, also addressed the Commission. Zoe Productions had been working with the Plainfield Fire Department in the planning of a one-day event for the Super Bowl. The request was to allow a temporary change of occupancy for the fully sprinklered warehouse, without compliance with current code. It was noted that the fire service and proponent had reached an agreement, and a copy of the conditions had been provided. Commissioner Mitchell moved to approve contingent to the conditions listed on the attachment to the variance application. Commissioner Brown made the second. It was voted upon and carried.

- (51) 11-12-14 Lighthouse Recovery Center, Washington

Joshua Palmer, Myszak + Palmer, Inc, spoke as proponent. The map from the city's water department showed 6" water lines running into the property, but when exposed, they were actually 3" lines and unable to provide support for a sprinkler system. The nearest 6" line is over a mile away, and funds were not available for compliance. The facility, a post-addiction center to aid individuals integrate back into society and the workforce, would have fire alarms in all rooms, and the smoke detection system will be integrated. Horns and strobes were to be in all sleeping quarters. A two-hour separation between the first floor and basement was to be maintained. The walkout basement, used for light storage, had two exits,

and the stairwell was to be enclosed with a rated door. Three staff members were to be on-site at all times. Following discussion, Commissioner Hawkins moved to approve with the conditions that they must provide a one-hour floor/ceiling assembly, a one-hour stair enclosure and a one-hour ceiling. Commissioner Cloud made the second. It was voted upon and carried with one nay vote.

- (52) 12-1-47 355 Indiana Avenue, Indianapolis

Doug Trent, RTM Consultants, spoke as proponent. The request was to allow the use of the first floor of a recently completed, but, as yet, not built-out office building as a lounge space during the week proceeding and the day of the Super Bowl. The building was protected with an automatic sprinkler system and fire alarm. The occupancy would be 100 invited guests, and a complying number of toilet fixtures were to be provided. No cooking was to be done on site, catered refreshments only. There was to be comfortable seating and televisions only, with no live performances. Following discussion, Commissioner Christoffersen moved to approve with the condition that the variance be valid from January 27, 2012 to February 5, 2012. Commissioner Hawkins made the second. It was voted upon and carried.

- (53) 12-1-48 The Domain at Bennett Farms, Zionsville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The apartment complex had a pool and clubhouse. Code requires showers in the bathhouse. Since this is a private pool and the residents would shower in their apartments instead of the bathhouse, the request was to omit the bathhouse showers. They were to provide one exterior showerhead for rinsing before entry into the pool. Commissioner Ogle moved to approve with the condition that one exterior showerhead was provided. Commissioner Corey made the second. It was voted upon and carried.

- (54) 12-1-49 Super Bowl Tailgate Events (432 S. Missouri St.), Indianapolis

The request was to allow a former transmission repair shop to be used as A-2, A-3 and M occupancies for Super Bowl events. Following discussion, Commissioner Corey moved to table until the January 18, 2012 meeting. Commissioner Ogle made the second. It was voted upon and carried.

- (55) 12-1-50 Yellow Retirement Coldwater Road, Ft. Wayne

Michael Christoffersen, Architectural Designs, spoke as proponent. The request was to omit the 13R automatic fire suppression system in the four building, forty-four unit apartment complex, and install a 13D system instead. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Corey. It was voted upon and carried. Commissioner Christoffersen abstained.

- (56) 12-1-52 Sunshine Manufacturing, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An existing warehouse facility was to be renovated to include a manufacturing area, a warehouse storage area, an office area and a break room. Also to be added to the west side of the building was approximately 750 square feet of hazardous occupancy for flammable and combustible liquid storage, separated by two-hour fire barriers. The east side of the building did not have a compliant 60 foot side yard, and so was not unlimited area. The building was a pre-engineered steel building which would fall inward if it failed. The sprinkler system would be upgraded to an ESFR system. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

(57) 12-1-53 Merrill Street Tent, Indianapolis

Joe Ziretia, Savor Group, spoke as proponent. They had erected a tent for use during the Big Ten events, and were requesting that the tent be allowed to remain up for Super Bowl events. It was not to be used until January 20<sup>th</sup>, and taken down February 7, 2012. Following discussion, Commissioner Ogle moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(58) 12-1-54 CSX Building Super Bowl Events, Indianapolis

Nancy Long, A-1 Expeditors, spoke as proponent. The request was for a temporary change of occupancy to allow the use of the first floor of the CSX Building on Georgia Street from January 26 to February 5, 2012. The fully sprinklered building was to be used for Super Bowl events. The events were to be by invitation only, with an expected 800 guests. There was to be no cooking on site, and the exiting complied with an A-2 occupancy. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(59) 12-1-55(a)(b)(c)(d)(e) Leather and Laces, Indianapolis

Ken Deuser, McKnight Property Management, spoke as proponent. The building had a fifth floor terrace, and a tent was to be erected to host a two-day Super Bowl event. Chief Fred Pervine, Indianapolis Fire Department, had been working with them and had no objections to their arrangements. There was to be a fire watch and extra security in place during the events. The tent was to be located five feet from the building instead of the code-compliant twenty feet, to allow guests to enter rooms A through G of the building easily. There was to be no cooking in the tent, with heat provided by twenty-nine electric heaters. A maximum of one thousand tickets were to be sold for the event. A question was raised about the ability of the terrace to support the structures and occupants. Mr. Deuser explained that the terrace was used by TLF Engineers to stage their cranes while doing damage repair after the tornado a few years ago. Commissioner Christoffersen moved to approve variances (a)(b) and (c), with the second by Commissioner Ogle. It was voted upon and carried. The heaters being used in the tents were to be ten feet from any combustible materials. Commissioner Christoffersen moved to approve (d), with the second by Commissioner Brenner. It was voted upon and carried. Variance (e) was to allow a temporary change of use for the offices involved in the event. With the tent as the primary point, the proponent felt there would not be a problem. Commissioner Christoffersen moved to approve, with the second by Commissioner Ogle. It was voted upon and carried.

(60) 12-1-56(a)(b)(c)(d)(e) Direct TV Celebrity Beach Bowl (Main Tent), Indianapolis

Jack Murphy, Murphy Productions, spoke as proponent. A 60,000 square foot temporary membrane structure was to be erected on Victory Field to house a one-day Super Bowl event. Due to the infrastructure of the existing facility, access for fire department apparatus cannot be achieved within 150 feet of the entire structure. The proponent had been working with the fire department on this issue. There was to be a fire watch with security personnel on site, and an evacuation plan through the outfield and concourse staircases had been prepared. The tent was to be used for a celebrity football game with seating for 3,300. After 4pm, there will be a concert then nighttime party for 1,500. The cooking was to be done by a caterer in the tent in the outfield. Following discussion, Commissioner Christoffersen moved to approve (a)(b)(c)(d), with the second by Commissioner Corey. It was voted upon and carried. Variance (e) was to allow exit width which did not comply with square footage calculations. The proponent advised that the playing field of 220'x90' will not be occupied during the day, and that the evening event was ticketed attendance. Following discussion of exiting to the outdoors but not directly to the exit itself, Commissioner Brenner moved to approve, with the second by Commissioner Hawkins. It was voted upon and carried.

- (61) 12-1-57(a)(b)(c)(d) Direct TV Celebrity Beach Bowl (Small Tent), Indianapolis

Jack Murphy, Murphy Productions, spoke as proponent. A small tent, serving as storage and food preparation area for the caterers, was to be a non-compliant distance from the large tent and wall. The tent had its own fire watch, and access to the tent was to be limited to staff. Following discussion, Commissioner Christoffersen moved to approve (a)(b)(c)(d), with the second by Commissioner Corey. It was voted upon and carried.

- (62) 12-1-58 The Huddle at Circle Centre, Indianapolis

Ellen Saul, Mary Beth Smith Associates, spoke as proponent. The request was to allow an LP tank to be less than ten feet from the property line/public way. Jerry Adams and Chris Sexton, Levy Restaurants, also spoke as proponents. The tank, used by the cooking truck on the west side of Meridian Street, was to be more than ten feet from the truck, and was to be protected by a barricade. The tank would be refilled on a regular delivery schedule before public access begins. A possible change in the size of the refrigeration trucks and layout for the area was discussed. Following discussion, Commissioner Christoffersen moved to approve with the condition that the hoses and piping was protected. Commissioner Corey made the second. It was voted upon and carried.

- (63) 12-1-59(a)(b)(c)(d)(e)(f) Bud Light Hotel – Super Bowl Events (29 Maryland St.), Indianapolis

Harold Sater and Melanie Flanagan, A&A Tents, spoke as proponents. A membrane tent was to be set up with a ten foot alley between the tent and the existing building. There will be a fire watch while occupied, and fire extinguishers will be on site. The tent was to be set up just short of two weeks; one week for set up, and one week for the events. Maximum occupancy of 3000, with events by invitation only. The mezzanines, to be used for interviews, etc, were reached by code-compliant stairs. The calculated exit width would not be provided, though there are nine doors and the occupant load will be held to 3,000 or almost half of the calculated occupancy. Following extensive discussion, Commissioner Christoffersen moved to table, with the second by Commissioner Hawkins. Following further discussion, the motion and second were withdrawn. Commissioner Christoffersen moved to approve (a)(b)(c)(d)(f), with the second by Commissioner Ogle. It was voted upon and carried. Commissioner Christoffersen moved to table (e) until January 18, 2012, to allow the proponent time to provide a new exit arrangement. Commissioner Hawkins made the second. It was voted upon and carried.

- (64) 12-1-60(a)(b)(c)(d)(e) Bud Light Hotel – Super Bowl Events (111 S. Meridian St.), Indianapolis

Harold Sater and Melanie Flanagan, A&A Tents, spoke as proponents. The issues were the same as in variance 12-1-59. It was noted that the slope of the parking lot would carry any snow melt water away from the tent and into the alley. A thousand occupants at most were expected at any one time since this is a pass through for the large tent. Following discussion, Commissioner Hawkins moved to approve (a)(b)(c)(e), with the second by Commissioner Ogle. It was voted upon and carried. Commissioner Hawkins moved to table (d) until the January 18<sup>th</sup> meeting for exits and exit width, with the second by Commissioner Cloud. It was voted upon and carried.

- (65) 12-1-61(a)(b)(c)(d)(e) Bud Light Hotel – Super Bowl Events (30 E. Georgia St.), Indianapolis

Harold Sater and Melanie Flanagan, A&A Tents, spoke as proponents. This tent was to be erected in the parking lot of the Harness Factory building. It was to be for security and to act as the command post. There would be no general public access, and the maximum occupancy of this structure would be fifty at any given time. Following discussion, Commissioner Corey moved to approve (a)(b)(c)(e) and no variance required for (d). Commissioner Brenner made the second. It was voted upon and carried.

9. **New Business – General.**

Discussion and Possible Commission Action – Nonfinal Orders of Dismissal

Randolph County Courthouse  
Administrative Cause No. 11-35  
Order – Fire and Building Code Enforcement  
Nonfinal Order of Dismissal

The Gardens of Canal Court  
Administrative Cause No. 10-29  
Order – Indianapolis Fire Department  
Nonfinal Order of Dismissal

The Carmel Apartments  
Administrative Cause No. 11-33  
Condition of CDR  
Nonfinal Order of Dismissal

Grinder's Switch Coffee Depot  
Administrative Cause No. 11-27  
Order – Fire and Building Code Enforcement  
Nonfinal Order of Dismissal

Geist Chapel  
Administrative Cause No. 11-37  
Condition of Variance  
Nonfinal Order of Dismissal

Bounce Palace  
Administrative Cause No. 11-06  
Order – Fire and Building Code Enforcement  
Nonfinal Order of Dismissal

Commissioner Corey moved to affirm the Nonfinal Orders of Dismissal. Commissioner Ogle made the second. It was voted upon and carried.

Avery Dennison  
Administrative Cause No. 11-30  
Order – Boiler Pressure Vessel Safety Division  
Notice of Nonfinal Order of Administrative Law Judge

Avery Dennison  
Administrative Cause No. 11-30  
Order – Boiler Pressure Vessel Safety Division  
Objections to Nonfinal Order of Administrative Law Judge

Following a summary of possible actions led by Deputy Attorney General James Schmidt, Commissioner Corey moved that briefs by the parties were to be filed by February 17, 2012 for the March 6, 2012 meeting. Commissioner Ogle made the second. It was voted upon and carried.

Discussion and Possible Commission Action – Appeals

Hires Community Center  
Condition of CDR

Trader's Point Creamery  
Order – Pike Township Fire Department

Commissioner Corey moved to grant both of the appeals, with the second by Commissioner Ogle. It was voted upon and carried.

10. Comments

Mara Snyder, Director, Legal and Code Services, noted that there would be a special meeting of the Fire Prevention and Building Safety Commission on January 18, 2012. It was to be held in Conference Center Room 17, beginning at 9am. She also noted that the February 7, 2012, regularly scheduled meeting of the Commission would be held in Conference Center Room 17, with a request that the Commissioners keep January 27<sup>th</sup> open on their calendars in case another special meeting would be needed for Super Bowl variances.

11. **Adjournment.**

Chairman Hannum called for further business, and upon hearing none, adjourned the meeting at 2:00 p.m.

APPROVED \_\_\_\_\_  
David Hannum, Chairman